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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

**In the Matter of**

1998 Biennial Regulatory Review --  
Amendment of Part 97 of the Commission's  
Amateur Service Rules.

FCC Report and Order  
Released December 30, 1999

WT Docket No. 98-143

FCC Report and Order 99-412

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To: The Secretary

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cc: Chairman William E. Kennard  
Commissioner Susan Ness  
Commissioner Michael Powell  
Commissioner Harold W. Furchtgott-Roth  
Commissioner Gloria Tristani

FCC MAIL ROOM

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**COMMENTS IN SUPPORT of PETITION FOR PARTIAL RECONSIDERATION**  
Submitted by Wormser, Adsit, and Dinelli

**DATE: January 21, 2000**

**Submitted By:**

Arnie W. Macy, KT4ST  
126 Michael Court  
Bloomington, Georgia, 31302  
kt4st@csam.net

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Arnie Macy, KT4ST, hereby submits his comments in support of the Petition for Reconsideration filed by Alan J. Wormser, N5LF, Frederick V. Adsit, NY2V, and Michael J. Dinelli, N9BOR ("The Petitioners") in the above captioned proceeding on January, 17, 2000. ("The Petition")

1. The commentor is an active, licensed Amateur who serves his community through the Amateur Radio Service.

2. Mr. Macy has been licensed since 1993. He is a volunteer examiner (VE) with the ARRL-VEC. He is experienced in HF and VHF emergency communications in the Chatham County Amateur Radio Emergency Service (ARES). He is a member of the Amateur Radio Club of Savannah, the Georgia State CW Traffic Net (GSN) (telegraphy) and is a designated liaison to the Fourth Region CW Traffic Net (4RN) (telegraphy) as well as an instructor with the Maryland Slow Speed CW Net (MSN) (telegraphy). Mr. Macy is also a member of the FISTS CW Club and past president of the FISTS CW Club of Coastal Georgia (NC4CW). He holds an Amateur Extra Class license, the A-1 Operator Club award and is an ARRL Official Relay Station. Mr. Macy operates telegraphy, SSB, FM, and VHF. He is an interested party in this proceeding.

3. Mr. Macy fully supports and concurs with sections I through VI of The Petition, which states in part, that:

a. The Report and Order *decreases* the emphasis on the technical questions on the written tests, and thus fails to maintain the Amateur Radio Service as *a fundamentally technical service*.

b. The Report and Order fails to address comments regarding the practice of applicants repeating failed test elements at one sitting by just paying a second fee to the Volunteer Examiner. This practice degrades our ability to test an applicant's knowledge and is a burden for Volunteer Examiners.

c. The Report and Order unnecessarily reduces the speed of the Amateur Extra Class telegraphy examination as a way to avoid code waivers. The new 5 wpm telegraphy speed for the General Class is adequate as a *reasonable accommodation*, thus making makes code waivers unnecessary.

d. The Report and Order removes the designation "Plus" from the Technician Plus license as it appears in the FCC database. Unlike licensees of the Technician Plus Class, the "no code" Technicians do not meet the international treaty requirements for operations below 30 MHz. Merging the two classes hampers the FCC's ability to enforce the treaty.

4. Mr. Macy was first licensed in 1993 as a “No-Code” Technician. Prior to licensing, his experience in electronics and radio theory had been limited to completion of the Basic Electricity and Electronics training course while serving with the United States Navy. The technical nature of the FCC Amateur Radio entry examinations encouraged him to seek greater knowledge in those areas prior to taking the tests. Further reduction in the “technical” nature of the entry level examinations will, in his opinion, discourage applicants from seeking greater technical knowledge and will hamper their ability to comply with the Basis and Purpose of the Amateur Radio Service (ARS) as outlined in Part 97 of the Commission’s Rules.

5. Mr. Macy has been a Volunteer Examiner (VE) for approximately three years. He has personally witnessed numerous applicants taking multiple examinations (for the same class of license) by merely paying an additional fee. He fully concurs with The Petitioner’s view that this is an unnecessary burden on the VE team and believes that a single test (written and telegraphy) per session is a reasonable and sufficient opportunity for any examinee.

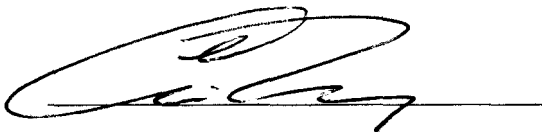
6. Mr. Macy in is strong support of The Petitioners as it relates to telegraphy testing and telegraphy’s value and usefulness to the Amateur Radio Service. A highly trained pool of telegraphers remains a necessity as telegraphy supplemented SSB emergency communications is the backbone of most ARES and RACES programs. Additionally, Mr. Macy agrees with The Petitioners statement that the General Class license, based on a 5 wpm telegraphy test and a written examination, satisfies the Basis and Purpose of the ARS as outlined in Part 97 of the Commission’s Rules, and that no further code waiver procedures should be necessary.

7. Mr. Macy supports The Petitioners in their belief that removing the Technician Plus designation from the FCC database would be a detriment to the enforcement of the international treaty regarding operation of Amateur Radio below 30 Mhz. Although the Amateur Radio Service has long been a proponent of the "self policing" concept, this is an area where the potential for abuse is extremely high.

**Conclusion:**

Arnie Macy, KT4ST agrees with The Petitioners that the Commission has streamlined the rules and processes by which the Amateur Radio Service operates. He also agrees with The Petitioners that reconsideration should be granted in the outlined areas. He therefore, respectfully joins The Petitioners in requesting same.

**Respectfully Submitted:**

A handwritten signature in black ink, appearing to read 'Arnie W. Macy', followed by a horizontal line.

Arnie W. Macy, KT4ST